

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

Filed 10/21/15
Clerk, U.S. District Court
Western District of Texas
By *KRW*
Deputy

United States of America
v.
MICHAEL ANTHONY ELLIS

Case No. SA: 15-MJ-883

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 20, 2015 in the county of BEXAR in the
WESTERN District of TEXAS, the defendant(s) violated:

Code Section
21 U.S.C. 841(a)(1) &
841(b)(1)(A)

Offense Description
Possession with Intent to Distribute 50 grams or more of Methamphetamine.
Penalties: 10 years to life imprisonment, Max \$10 million fine, 5 years
supervised release, \$100 mandatory special assessment.

18 U.S.C. 922(g)(1)

Felon in Possession of a Firearm.
Penalties: Up to 10 years imprisonment, \$250,000 fine,
3 years supervised release, \$100 mandatory special assessment

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

[Signature] 2513
Complainant Signature

Robert Tamez, SAPD Detective
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/21/2015

[Signature]
Judge's signature

City and state: SAN ANTONIO, TX

PAMELA A. MATHY, U.S. MAGISTRATE JUDGE
Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Detective Robert Tamez, being duly sworn do hereby depose and state:

I am a Detective with the San Antonio Police Department (SAPD). The following is based on information provided to me by other officers of the SAPD and my own personal observations:

In September 2015, I received information from a credible and reliable source, who in the past has provided information that has proven true and correct and has led to the seizure of commercial quantities of narcotics. The information received was that a male identified as **Michael Anthony Ellis** was involved in the distribution of commercial quantities of methamphetamine throughout the city of San Antonio. Through computer research **Michael Anthony Ellis'** identity and residence of 12200 IH-10 West Apt #508, San Antonio, Texas, were confirmed. Research also revealed that **Ellis** had an active municipal court warrant #B1505874.

Over the course of several weeks, I established surveillance at **Ellis'** residence of 12200 IH-10 West Apt #508 at varying hours of the day in an effort to verify the information received. During the times that surveillance was established at **Ellis'** residence he was seen numerous times entering and exiting the location using a key.

I observed individuals walking to the front door of **Ellis'** residence and knock. **Ellis** would open the door and contact the unknown individuals. I observed hand to hand transactions between **Ellis** and the unknown individuals consistent with narcotics trafficking known to me through my training and experience. These hand to hand transactions usually lasted less than five minutes before the unknown individuals would depart the residence and **Ellis** would return inside.

I also observed **Ellis** drive to a location known for narcotics distribution and park. Individuals would contact **Ellis** who was seated in the driver's seat of his vehicle, Texas License Plate #GFS2802 and it appeared that items were passed between **Ellis** and the individuals. These actions are also consistent with the way that individuals purchase, sell, and distribute narcotics known to me through my training and experience.

On October 20, 2015, while engaging in surveillance of **Ellis'** residence of 12200 IH-10 West Apt #508, San Antonio, Texas, in the Western District of Texas, I observed individuals approach the front door and engage in hand to hand transactions with **Ellis**. Later that night, I observed **Ellis** and his girlfriend exit their residence and walk to **Ellis'** vehicle (TX #GFS2802). **Ellis** sat in the driver's seat and the girlfriend sat in the front passenger seat. Surveillance was maintained on the vehicle as it exited the complex and drove eastbound on the IH-10 access road towards Huebner Road, in San Antonio, Texas. As **Ellis** entered the highway he failed to signal a lane change (right to left) as he drove across lanes of traffic on IH-10. Surveillance was

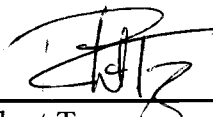
maintained on **Ellis** and the suspect vehicle. Patrol units were requested to assist in stopping the suspect vehicle for the traffic violation observed.

SAPD Officers Quintanilla and Acuna, who were driving a marked SAPD patrol vehicle, initiated a traffic stop on the suspect vehicle and contacted **Ellis** and his girlfriend. Officer Quintanilla observed an odor of burnt marijuana coming from the interior of the suspect vehicle. A search of the vehicle yielded approximately 2.7 grams of heroin in a sunglasses-type compartment in the headliner of the suspect vehicle.

I made the scene of the traffic stop and contacted **Ellis** and his girlfriend and read them their rights via SAPD form 66-E to which both acknowledged understanding. I informed **Ellis** of the ongoing narcotics investigation and asked him if he wanted to cooperate. **Ellis** did not want to cooperate, so based on the circumstances of the investigation I applied for and was issued state search warrant #021902. Listed detectives and officers returned to **Ellis**' residence. A search of the residence yielded approximately 236.5 grams of crystal "ICE" methamphetamine found in a backpack on the couch and approximately 5.4 grams of methamphetamine found in the hutch. Two loaded magazines belonging to a .22 caliber pistol were located with the 236.5 grams of methamphetamine in the backpack. **Ellis** commented that the gun belonging to the .22 caliber magazines was not in the house. A Taurus .380 pistol was found in the bathroom under the sink. **Ellis** is a convicted felon and is prohibited from possessing a firearm or ammunition. Specifically, **Ellis** has been convicted of Possession of a Controlled Substance 4-200 grams and Burglary of a Habitation.

Your affiant has probable cause to believe that **Michael Anthony Ellis** committed the federal offenses of :

1. Possession with Intent to Distribute 50 grams or more of methamphetamine in violation of Title 21, United States Code, Section 841(a)(1)/(b)(1)(A), and
2. Felon in Possession of a Firearm and Ammunition in violation of Title 18, United States Code, Section 922(g)(1).

 2513

Robert Tamez
SAPD Narcotics Detective

Sworn to before me and subscribed in my presence on October 21, 2015, at San Antonio, Texas.



PAMELA A. MATHY
United States Magistrate Judge